

Suffolk &c. At his Majesty's superior Court of Judicature, Court
of Assize and General Goal delivery, begun and held
at Boston, within and for the County of Suffolk on the
second Tuesday of March, in the tenth year of the
Reign of George the Third, by the Grace of God of Great
Britain, France and Ireland, King, defender of the
Faith &c.

The Jurors for the said Lord the King, upon their oath present, that Thomas Preston Esq. William Wemmes Labourer, James Hartegen Labourer, William M. Cauley Labourer, Hugh White Labourer, Mathew Kilbroy Labourer William Warren Labourer, John Carroll Labourer & Hugh Montgomery Labourer, all now resident in Boston in the County of Suffolk, not having the Fear of God before their eyes, but being moved and seduced by the Instigation of the devil, and their own wicked hearts did, on the fifth day of this Instant month at Boston aforesaid within the County aforesaid with force and arms, feloniously, wilfully, and of their malice aforethought assault one Patrick Carr, then and there being in the peace of God and of the said Lord the King and that the said Hugh White ^{then} ~~then~~ ^{with} a certain hand Gun of the value of twenty Shillings, which he the said Hugh White then and there held in both his hands charged with Gun-powder and a leaden Bullet, then and there feloniously, wilfully and of his malice aforethought, did shoot, and discharge at and against the said Patrick Carr, and that the said Hugh White with the leaden Bullet aforesaid, out of the said Gun, then and there by force of the said Gun-powder so shot, and discharged as aforesaid, did, then & there feloniously, wilfully and of his malice aforethought strike, penetrate, and wound the said Patrick Carr in the Trunk of the Body, near the Right Hip of him the said Patrick Carr, thereby giving to him the said Patrick Carr in the Trunk of the Body near the right Hip of him the said Patrick Carr, with the leaden Bullet aforesaid, so as aforesaid shot, & discharged out of the hand Gun aforesaid, by Force of the Gun-powder aforesaid, one mortal Wound six Inches in Depth, & one Inch in Width; of which said mortal Wound the said Patrick Carr, there languished & languishing, did live from that Time ^{from that Time} untill the fifteenth Day of this Instant month, & then died at Boston aforesaid of the mortal Wound aforesaid so given him as aforesaid; and that the aforesaid Thomas Preston William Wemmes William M. Cauley Mathew Kilbroy William Warren John Carroll James Hartegen, & Hugh Montgomery, were there, at the Time of

of giving the said mortal Wound, as aforesaid, present aiding,
helping, abetting, assisting, comforting & maintaining the said
Hugh White, to do & commit the Felony & Murder aforesaid.
And so the Jurors aforesaid, upon their Oath aforesaid, do say, that
the said Thomas Preston, William Kemms James Hartegan,
William McCauley, Hugh White, Matthew Killbroy, William
Warren, John Carroll & Hugh Montgomery, then & there in
manner & by the means aforesaid, feloniously, wilfully and of
their malice aforethought, did kill & murder the said Patrick
Carr; against the peace of the said Lord the King, his crown
and Dignity.

Attest me D. Rege

This is a true Bill.

Wm Jacot Foreman.

August Term 1770. And now the said Thomas Preston
is brought and set to the Bar and arraigned, and
upon his arraignment pleads not guilty, & for
Trial puts himself upon God and the Country
att Sam Winthroples

To this Indictment the s^d Wm Kemms James Hartegan
William McCauley, Hugh White, Matthew Killbroy, Wm
Warren, John Carroll and Hugh Montgomery, being
also brought & set to the Bar & arraigned severally
plead not guilty, and for Trial put themselves upon
God & the Country — att Sam Winthroples

for the murder of Patrick Carr.